REMARKS

The claims now in consideration are amended claims 1-9, 11 and claims 18-22.

Mis-numbered claims

Applicant's note: Applicant noticed that the original case may have had a numbering error with regard to claim 17 - there being two of them. Applicant respectfully requests verification of two claims 17. The first occurring one should have been numbered 16.

Election/Restriction

The examiner asserted that the original claims presented were directed to two (2) patentably distinct species, namely (i) a doll-like figure display screen cleaning tool, and (ii) a disc-shaped display screen cleaning tool.

Applicant affirms the election of prosecution of claims 1-11, and claims 18-22.

Applicant has withdrawn consideration of claims 12-17 by way of canceling claims 12-17 by way of this amendment.

Objection to Claims

The examiner objected to claims 4-8, 10-11, 19-20, and 22 as being substantially duplicate of other claims. More specifically, the examiner alleges:

- claims 7 & 8 are the same;
- claims 10 and 20 are the same;
- claims 4, 10,11, and 22 contain the same information as disclosed in the claims to which they are dependent.

The applicant appreciates the examiner pointing out the aforesaid objections. Amendments to the claims are believed to make the just recited objection moot.

112 Claim Rejections

The examiner rejected claims 1, 3, 4, 6-10 and 18-22 as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention.

More specifically the examiner considered indefinite the terms:

- Doll-like
- Chamois-like, &
- Material produced by Hutching and Harding LDT.

The applicant respectfully traverses the examiner's objection to the claims as recited just above. Specifically, the teachings set forth in the description of the invention clearly lays out a definition of the terms ***doll-like*** & ***chamois-like*** as recited in the claims.

Discussion of Doll-like

Specifically, page 10, lines 7, states:

> "It should be noted that the stuffed doll-like figure as illustrated in Figure 1 may take on any desired three-dimensional configuration extending from animals, birds, an including inanimate objects such as a computer terminal as illustrated in U.S. Patent No. 5,647,786, entitled, " Stuffed Personal Computer Toy." "

The term "doll-like" used herein is intended to be broader than the usual connotation associated with the word "doll" which generally refers to human

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shaped figures as that articulated in the definition in Webster's New Collegiate Dictionary, 1977, which states:

> *" small scale figure of a human being used esp. as a child's plaything".*

Further, over 115 patens use them term doll-like as a term of art, of which14 include the same term in their claims. Thus, the patent office has historically accepted this term of art, and therefore the term "doll-like" should be allowed in the claims of the present invention as having a "definite meaning" and does not meet the allegation as being vague and indefinite.

Lastly, since it is common practice for patent practitioner's to become their own lexicographer, the recitation of the term "doll-like" as defined in the specification is clearly allowable in view of the definition recited in the description of the invention.

Accordingly, withdrawal of the objection to the term "doll-like" as recited in the claims is respectfully requested.

However, applicant has amended the preamble of claim 1 to include the phrase "three-dimension soft" to further articulate the type of tool that the method is intended to be directed.

Discussion of Chamois-like

Before proceeding, it should be noted that the one of the definitions of "chamois" in Webster's New Collegiate Dictionary, 1977, is:

> *"2. a soft pliant leather prepared from the skin of a chamois or from sheepskin."*

It is also well known that auto stores sell and advertise "chamois-like" fabric materials as being chamois, even though such fabrics are synthetic.

"Soft pliant leather having chamois-like characteristics" is clearly descried in the description of the invention on page 7, lines 14-21, as well as on page 8,

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Lines 8-13. Since the term chamois-like is defined in the description, it is common practice to be allowable when recited in the claims.

Lastly, the term chamois-like is an acceptable term in the art as recited in the Merrion patent 5,694,659 as follows:

> *"The cleansing surface 13, which is inside and unexposed when the wiping device 10 is carried in its compact configuration, is made of soft baby flannel,* ***chamois-like*** *or other porous absorbent or wettable material..."*

Further, over 50 patents use this term of art, of which 6 include the same term in their claims. Thus, the patent office has historically accepted this term of art, and therefore should be allowed in the claims of the present invention as having a "definite meaning" and does not meet the allegation as being vague and indefinite.

Accordingly, withdrawal of the objection to the term "chamois-like" as recited in the claims is respectfully requested.

Soft pliant leather chamois produced by Hutching and Harding LDT

The aforesaid chamois material is described on page 8, lines 14-21. Since the material is produced by a trade secret process, and is unique, applicant avers that it should be given patentable weight. It is comparable to requesting uniquely "Coke" at a restaurant and sold "Pepsi". Clearly different chemical compounds and properties. On the other hand, if one asked for a "cola" one might get several different chemical compounds that have been generically called "cola."

In a similar manner, practice of the present invention employing use of a specific Hutching and Harding LDT soft pliant leather is not vague or indefinite.

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In fact it is just the opposite since there is only one manufacturer of the specific product.

Accordingly, withdrawal of the objection to the term " Soft pliant leather chamois produced by Hutching and Harding LDT " as recited in the claims is respectfully requested.

112 rejection of claim 11

The examiner rejected claim 11 as having insufficient antecedent basis for the limitation of *"said one or more strips..."*.

The applicant has amended claim 6, and claim 11 dependent thereon to overcome examiner's rejection.

Acceptance of claims 6 and 11 under section 112 is respectfully requested.

102 Claim Rejections

The examiner rejected claims 1-4 as being anticipated by McMahon.

The examiner points out that regarding claims 2 & 3 that no criterion has been established as to a fabric being optical grade and is given no patentable weight, and the source of material is also given no weight.

The applicant respectfully traverses the examiner's rejection under 35 USC 102 as being anticipated by McMahon.

The rejection of claims 1-4 under 35 USC 102 is improper since every limitation of applicant's claims 1-4 must be taught or shown in the single reference cited as the basis for the 102 rejection. Since McMahon fails to meet this requirement, the rejection is improper.

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Specifically, McMahon does not teach or show steps of the method claim 1, specifically:

1. Assembling one or more strips of material to form an "inner chamber" where the inner chamber is formed by a strip of material composed of a soft pliant fabric having substantially optical-grade non-abrasive characteristics; and
2. Filling an inner chamber with stuffing material;
3. Sealing the inner chamber.

Specifically, McMahon forms no inner chamber in a doll-like figure which serves as a three-dimension soft display screen cleaning tool. Since all of the elements of independent claim 1 are not shown or taught in the MaMahon reference, the rejection is improper.

Accordingly, withdrawal of the 102 rejection, and allowance of all claim in consideration is respectfully requested.

103 Claim Rejections

The examiner rejected claims 5-11, and 18-22 as being unpatentable over McMahon in view of Marrion. The examiner states that:

1. ***McMahon*** teaches a chamois material shaped into a mouse figure without the use of multiple pieces or alternate fastening means, and
2. ***Merrion*** uses multiple pieces of fabric sewn together.

Applicant respectfully traverses the just mentioned rejection as being improper in view of the remarks above.

Neither McMahon nor Merrion show, teach, or suggest applicant's invention, singly or in combination, as recited in the claims now before the examiner. Specifically, there is no teaching or showing of:

A) one or more strips of a fabric material to form a selected doll-like figure body including,

i) outer body surface portions, and

ii) at least *one inner chamber*, wherein

(1) one of said strips forms, in part, said inner chamber, and

(2) is composed of a *optical grade fabric having substantially non-abrasive characteristics*;

B) filling said at least *one inner chamber* with a selected quantity of stuffing material so as to provide said doll-like figure body, at least in part, with *a three dimensional shape*, which may be utilized as a pliant cleaning tool for wiping a display screen; and

C) a selected quantity of *stuffing material* within said at least one inner chamber so as to provide said doll-like figure with a *three dimensional shape*.

Since neither McMahon nor Merrion show any chamber formed by any type of fabric material the rejection is improper since all elements of the claim must be shown in a single reference or in combination with another reference for

a proper 102 or 103 rejection. Further, when more than one reference is used as a basis for a 103 rejection, there must be a suggestion in those references to combine their teachings to reject the claims. Again, the 103 rejection is improper, because there is no suggestion to combine the teaching as a basis of the rejection herein.

Discussion of Applicant's Invention

Applicant has set forth a novel display screen cleaning tool in the form of a three-dimensional doll-like figure. The figure generally includes at least one strip composed or consisting of an optical grade fabric. The doll-like figure may take the form of any object or animal or person.

The term **optical-grade** as used herein is clearly defined in the description of the invention. Furthermore, the term optical-grade is a well accepted term of art as used in over 660 patens, of which 59 include the same term in their claims. Thus, the patent office has historically accepted this term of art, and therefore should be allowed in the claims of the present invention as having a "definite meaning" and therefore meets the standard of being clear and definite passing any test under section 112.

More specifically, the recitation of "***optical-grade fabric"*** is set forth in the body of the description of the invention. For example, page 9, Lines 3-5, states that such fabric "*permits cleaning of the display screen with minimal degradation, if any, of the optical qualities of the display screen."*

The optical-grade fabric may be in the form of any chamois-like fabric have similar characteristics, or a synthetic having optical grade characteristics which avoid the marring of the optical grade surfaces of display screens which may be cleaned by the display screen cleaning tool of the present invention.

Lastly, novelty of the present invention is historically considered within the practice of the Patent Office as particularly demonstrated by U.S. Patent 5,657,507, entitled "Windshield Cleaning Tool," and U.S. Patent 5,687,445, entitled "Lens Wipe." Each of these patentable inventions is a specific and novel cleaning tool. Like these, the present invention is also directed to a novel display screen cleaning tool not heretofore known in the art.

Accordingly, withdrawal of the rejection of all claims of the present invention under 35 USC 103 and 102, and allowance of all claims is respectfully requested.

Inventorship

Applicant duly notes the requirement of the applicant to identify those inventions that were not commonly owned.

Formal Drawings

Applicant notes the drawing correction required, and will submit them upon allowance of the claims in consideration.

Conclusion

Various amendments have been made to claims for clarity and to further distinctly claim those inventions which applicant are entitled.

Various amendments have been made to overcome those objections and rejections under 35 USC 112.

Remarks have been made to set forth patentability over any 35 USC 102 & 103 rejections.

Affirming the agreed upon restriction of claims is include with this amendment.

Respectfully submitted,

Thomas W. Devaney

Robert A. Pajak

Robert A. Pajak, Agent 6/2/00
Registration No. 29,335

Telephone 763-757-3762

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